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A N
HISTORICAL ACCOUNT
O F T H E
Rise, Progress, and Management,
O F T H E
General Hospital, or Infirmary,
in the City of BATH, &c.

[Price 1s. 6d.]

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A N
Historical Account
OF THE
Rise, Progress, and Management,
OF THE
General Hospital, or Infirmary,
In the CITY of *BATH*:
WITH SOME
Q U E R I E S,
TO THE
Principal Conductors of that Charity.

By **WILLIAM BAYLIES, M. D.**

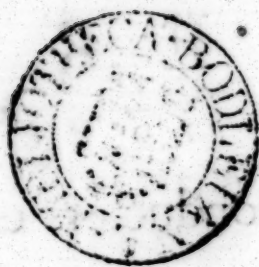
*Nil simulatio proficit, paucis imponit, leviter extrinsecus indulta
facies, veritas in omnem partem sui semper eadem est. Quae
decipiant, nihil habent solidi, tenue est mendacium, perlucet si
diligenter inspexeris.*

SAN. Ep. 79.

L O N D O N :

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From
A Zeal for Charity and Truth,
And for the
Improvement of Medical Knowledge,
These Sheets are laid before the Public :

A N D

To the Right Reverend the Lord
Bishop of Bath and Wells,

And to the Justices of Assize for the
County of Somerset,

To whose Controul every Rule for the Go-
vernment of the General Hospital in Bath
is by Parliament committed,

A N D T O

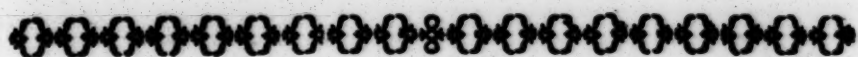
Every Contributor towards the Charity,

They are particularly address'd,

By their obedient humble Servant,

BATH, Dec. 4,
1758.

W. Baylies.



T H E

INTRODUCTION.

THE zeal with which every compassionate mind must be warmed in the cause of charity, and the regard due from every honest man to the preservation of a good name, must fully justify this public appeal ; yet it being possible that by thus endeavouring to rectify a misconduct, the funds for supporting a charitable institution may for some time be lessened, I cannot but express a real concern at the necessity I am under of entering upon it ; and indeed no motive should have induced me thereto, had I not previously apply'd for a redress of the grievance,

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vance,

vance, to those whose duty it was, by the mandate of a statute law, to have rendered such application unnecessary.

But having sought redress in vain, and for the attempt thereof, and for refusing to retract uncontroverted truths, been scandalously hinted at in a public news-paper (*a*) as an enemy to charity, a publisher of misrepresentations and malicious reflections; to which, when I offered a reply, (*b*) the

THE ADVERTISEMENT.

(*a*) In the year of our Lord 1739 was printed an act of parliament for establishing and well governing an Hospital or infirmary in the city of Bath: Whoever will be at the pains to peruse the said act, and compare it candidly with the proceedings of the governors of the said hospital, will therein find a full confutation of all the misrepresentations and malicious reflections lately cast upon the said governors by the enemies of that charity.—*Boddely's Bath Journal*, Feb. 20, 1758.—No. 8 of Vol. xv. P. 32.

THE ANSWER.

(*b*) In the last of these journals an advertisement was published relative to the Bath hospital, wherein it was asserted that the proceedings of the governors thereof had been consonant with the directions of the act of parliament for its establishment: to this assertion a clear confutation will be contained in a history of
of

the printer of the same journal refused to insert it ; no man can blame me for now laying a fair state of the case before the public.

And as those to whom this is particularly addressed, from a just sense of christian duty, have been zealous for the welfare of the Bath hospital, it is not to be doubted but they will, from the same charitable disposition, consider well the importance of the following facts, the merits of the arguments founded thereon, and the good purposes intended to be promoted by the

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of that charity very soon to be published ; the reader is therefore desired to suspend his belief of the advertisement until that publication has appeared, by a perusal of which it is imagined there will be found truths too clear to pass for misrepresentations, reflections too necessary to be esteemed malicious, and sufficient evidence that the writer of them is a true friend, instead of an enemy, to the charity.

publication of them, before they determine either for or against the writer.

Confident therefore of this indulgence, and desirous only of being censured or approved as the rectitude of my intentions shall, on the strictest scrutiny, be found to deserve, I shall attempt to shew from what motives hospitals for the sick have been hitherto promoted ; by what means this at Bath has been brought to its present greatness ; by what law it is now established ; and what the trustees have done by virtue of the powers therein given them, so far as relates to the physical œconomy of the hospital, and is recorded in the books belonging to it. To this I shall add, a relation of my conduct in attempting to be chosen a physician to the hospital, with the behaviour and proceedings of the governors, committees

tees, and physicians thereupon; in every part of which I shall strictly adhere to that injunction which is laid upon every witness in courts of justice where right and wrong is to be determined, by delivering the truth, the whole truth, and nothing but the truth.

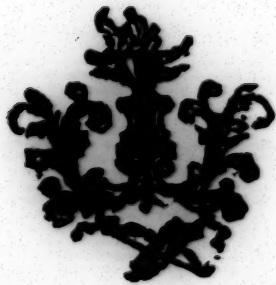
Plain facts honestly related can never misguide the judgment; from them we may safely conclude, whether private or public views have regulated the conduct of men; and without drawing inferences from them, securely rely on their influence for justice.

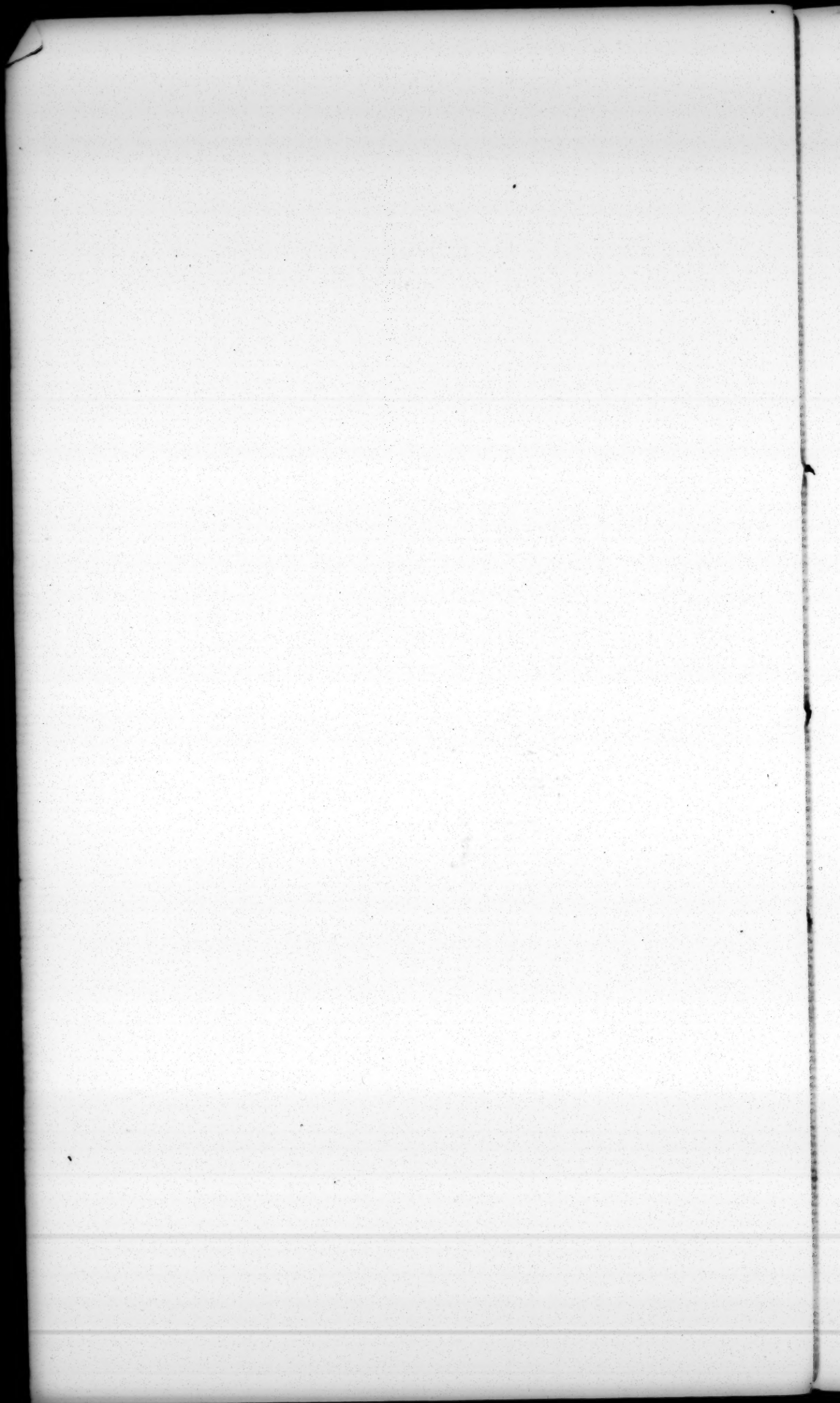
I will not therefore endeavour with any artful insinuations to prejudice any one's judgment in favour of this publication, but conclude the whole with such questions to the censured as may lead them by simple and direct answers,

swers, if the charge is not true, to refute the same, and justify themselves ; or, by a silent acquiescence, confess their guilt, and convince the world the accusations are unanswerable.

From whence should it be made manifest that this hospital has been employed only as a deception to the public, it is not to be doubted but the several contributors thereto, out of common benevolence to their fellow creatures, will be induced to exert their utmost efforts, not only to prevent its being so continued, but likewise to see that those in the immediate government thereof, may so regulate and conduct the same, as to make it answer every good end, which in its first institution it was intended to promote, or in its own nature it is capable of producing. For if the want of charity be so highly displeasing
in

in the eye of the Almighty, the abuse of it must still be greater ; and the offence next to that, a silent and passive permission of its abuse, by those who are impowered and in duty bound to remedy the evil.







CHAP. I.

Of the principal Views in the first Establishment of Infirmaries.

THE great emulation which, of late years, has appeared in this nation in the promotion and establishment of infirmaries or hospitals for the reception of sick poor, and the support they have had from benevolent contributions and royal benefactions, not only renders any argument in their favour unnecessary, but is universally convincing that, on experience, they are found of real utility.

B

Without

Without reciting therefore the several benefits which the public must receive from every well regulated charity of this sort, I will only observe here with what views they were first set on foot by those who have been principally instrumental in the promotion of them.

And these, it is evident, were chiefly two, the one to relieve and provide for our fellow creatures afflicted with diseases and distressed with want, the other to establish schools of physic, wherein the knowledge acquired by observation might not only be rendered useful to the present, but perpetuated to future generations.

That the first of these views was one intention of founding infirmaries, is evident from the daily use that is made of them. And
many,

many, no doubt, have contributed to these charities only from a compassionate disposition to relieve the miseries of the distressed, without ever thinking of any improvement in physical knowledge ; but it cannot be denied that there are also many, and those of the most distinguished for humanity and good understanding, who have contributed to them as much from a desire to benefit posterity as the present generation, by the establishment of them into useful schools of physic.

Of this the royal infirmary at Edinburgh is a recent and evident proof. There, students at the university in that city have an opportunity of hearing clinical lectures from the physicians, and of seeing every day the effects of medicines, and the operations and dressings of the surgeons at the pa-

tients bed-side, as well as of copying from the register of the hospital all cases worthy remembrance in their future practice : Whence the university of Edinburgh has, of late years, acquired the reputation of being the best school of physic in his majesty's dominions.

Indeed the applications made to influence the public to contribute to the Bath infirmary, is alone sufficient to demonstrate that one view of its promoters was the improvement of physical knowledge, it being therein expressly declared that “ by the establishment of such an hospital the knowledge and use of Bath waters would be greatly improved for the benefit of all succeeding generations.”

And

And that knowledge, founded on practice as well as theory, is absolutely requisite to compleat a physical education, is evident, not only from the general recourse which those who take degrees in our universities have to the London hospitals, but also from the late resolution made by the principals in the university of Oxford, and the trustees to Dr. Radcliff's will, to found within the limits of that university, an hospital for the sick, from a conviction that such an application of the remainder of that legacy has the most direct tendency to promote the great end of the testator, in rendering his Alma Mater the most conspicuous of any for physical knowledge.

The situation of these charities has been a material consideration with the
promoters

promoters of them ; they have generally been placed in or near to principal towns, where the requisites for life may be procured on the easiest terms, and where the sick might always be supplied, at the least expence, with a sufficient number of proper assistants on every occasion.

But the many accurate observations that have been published on air, water, and the situation of places, indisputably prove, not only that the most knowing physician is incapable of conquering every disease, but likewise that human art cannot accommodate any place with all the requisite instruments for the restoration of health, so far as experience has furnished us with knowledge to apply them.

With

With what gratitude therefore to the hand of providence are we bound to observe, that the imperfection of knowledge, and the defects of places, are amply supply'd by her unmeasurable bounty. It is from her abundant goodness that springs of water issue from the earth, impregnated with various and powerful principles, constituting remedies inimitable by art, and superior in efficacy to the most celebrated compositions of human invention.

But so subtle is the nature of many of these waters, they can never be removed far from their sources, without a sensible diminution of their virtues. Amongst these, none are more deservedly distinguished than the hot springs at Bath. These, experience shews us, not only become a safe and effectual remedy in many diseases at a distance
from

from the spring, in which, drank at it, they would be very prejudicial ; but, on the other hand, prove very insignificant when drank at a distance from their sources, in disorders which they effectually and quickly cure at the spring head.

That the necessitous sick may therefore feel the happy effects of these salubrious streams in their highest perfection, and, with the rich, participate the heavenly gift, it was indispensably necessary that an hospital should be founded at Bath, which was not, like other hospitals, intended to receive poor persons afflicted with every disorder promiscuously, but with such diseases only to which the Bath waters were judged to be peculiarly adapted ; and this not only for the sake of the poor, who could not elsewhere be relieved, but with an intent

tent to benefit the rich, by demonstrating the true effects of Bath waters, under the administration of rational physicians, upon subjects obliged by their situation and circumstances to conform to directions.

This the printed applications of the trustees to solicit subscriptions for the establishment of the hospital, which applications are inserted in the following pages, most evidently demonstrate; although the majority, or, to speak more properly, the ruling part of the present committees, seem determined, by their late illegal and extraordinary resolutions, to debar the community in general from so useful a knowledge; a knowledge of the utmost consequence to the welfare of the public, justly due from the rulers of the charity to the supporters of it, and in the procurement of which there is

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not

not a subject in this kingdom but is in some degree interested.

On the general communication of this knowledge the prosperity of Bath, and the credit of the waters depend. From the want of it, thousands may lose their lives ; and by its being generally communicated, many may be preserved. How complicated, therefore, must the iniquity of those be who endeavour to suppress it !





CHAP. II.

*An historical account of the rise of the
general hospital in Bath, with an ab-
stract of the act of parliament by
which it is established, and the pro-
ceedings of the governors by virtue
thereof.*

THE ruins of the magnificent bathing places, lately discovered in the city of Bath, fully shew that the hot waters there were externally used as a warm bath many ages ago ; but we have no traces of their having been inwardly prescribed by physicians, before the restoration of Charles the second. It was about that time invalids began to drink them as a remedy in the cure of diseases ; a few remarkable instances soon established

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their

their credit, by convincing the world of their sovereign efficacy. Many disorders were esteemed incurable without their assistance, and the poor were intitled with the rich to the benefit of their use.

All the poor subjects of his majesty (says Mr. Wood in his description of Bath) had a right to the free use of the baths at Bath; and until sometime in the year one thousand seven hundred and fourteen, justices of the peace, in their several counties, had power to licence all who had occasion for the use of those healing waters, to travel to their fountains without molestation.

But this law expiring, by which the poor who were in need of Bath waters, were protected in their travelling to Bath, and when they came there, no
place

place being allotted, or provision made for their reception and maintenance, Lady Elizabeth Hastings, and Henry Hoar Esq; with Mr. Nash, and many others, convinced of the sovereign efficacy of the bath, and compassionating the infirmities of the poor, in the year one thousand seven hundred and sixteen proposed founding a general hospital at Bath, for the benefit of such as were real objects of charity, and the bath was thought capable of relieving. In promoting this good work they were warmly assisted by Sir Joseph Jekill, until a scheme was formed to establish it, and until he found it impossible, from a perverseness in many persons, to procure proper ground in any reasonable time, whereon to erect a convenient structure for the reception of the poor people that were intended to be relieved.

In

In the month of October, one thousand seven hundred and twenty-three, the subscription was opened, and Messrs. King, Martin, Samborn, Nash, and Merchant, became collectors; whose proceedings touching the said charity were kept in a book for that purpose; and when they had collected two hundred and seventy-three pounds twelve shillings and one penny, proper heads of a scheme were proposed for the establishment of the charity, by direction of several eminent persons, particularly by the lords presidents of England and Scotland, the master of the rolls, some of the judges and great lawyers, Sir Richard Steele, &c. which being compleated, were read to the contributors at a general meeting, who approving of them, elected thirteen representatives to manage the charity, nominated a treasurer, and ordered a fair copy of what
had

had been agreed upon to be hung up in the pump-room for the information of the public.

But the proceedings of this committee not being seconded with the encouragement it deserved, the charity began to languish, and no annual meeting was held for the promotion of it in the year one thousand seven hundred and twenty-six. On which Mr. Thayer instructed Mr. Wood to inform the trustees, that if a proper building could be begun, he, and many others, would contribute towards it a hundred pounds each.

Thus reanimated, the drooping charity once more raised her head, every thing was again forwarded with great vigor ; Doctor OLIVER was admitted of the committee, a contract was made for ground to build upon, and
that

that ingenious architect Mr. Wood, anxious for the promotion of the charity, generously contributed his best endeavours to forward it, by preparing plans for the building suitable to the purpose ; which done, the public were again addressed in the following words.

“ There being many poor objects
 “ in the several parts of this kingdom,
 “ who, though they may be provided
 “ elsewhere with phyfic, and the ad-
 “ vice of physicians, yet for want of
 “ the assistance which only the waters
 “ of the Bath can give, continue in a
 “ languishing and helpless condition.
 “ In compassion to the deplorable
 “ case of such persons, *and in view of*
 “ *the improvement which, under the*
 “ *present design, may be made in the*
 “ *knowledge of the nature and virtues*
 “ *of these medicinal waters,* some well-
 “ disposed

“ disposed persons have set on foot,
 “ and hope to establish, an hospital at
 “ Bath for the reception of sixty poor
 “ diseased persons, who are to be pro-
 “ vided with lodging and diet, toge-
 “ ther with a physician, surgeon, apo-
 “ thecary, and medicines.”

To this, other particulars relative to the expence of building the hospital, and to the monies that had been collected towards it, with the several rules for the admission of patients, were added, and the whole closed with the following words.

“ These articles are submitted to
 “ the judgment of the public, and
 “ all persons are desired to give their
 “ opinions as to any alterations that
 “ may promote the good which is in-
 “ tended by all the contributors.”

D

Besides

Besides this address, which Mr. Wood has recorded at length in his description of Bath, page 286, there is in the committee book belonging to the hospital, numb. 1, page 51, 52, after a recital of the proceedings of the committee on the sixteenth day of February, one thousand seven hundred and thirty-seven, a series of reflections, setting forth the benefits accruing to the public from general hospitals, to which are subjoined the following.

“ Though the relief of our misera-
 “ ble fellow-creatures might be suffi-
 “ cient to induce all good-natur’d per-
 “ sons to promote this charity, espe-
 “ cially those who have themselves felt
 “ the benefit of these healing waters,
 “ yet it may not be amiss to mention
 “ another very great advantage that
 “ will accrue to the public from such
 “ an hospital being founded at Bath.
 “ All

“ All physicians allow that the great-
 “ est certainty that can be attained to,
 “ in the knowledge of the nature and
 “ virtues of any medicine, arises out
 “ of the number of observations of
 “ the effects it has on human bodies
 “ in different circumstances.

“ The world is indeed greatly in-
 “ debted already to many worthy and
 “ learned gentlemen of the faculty,
 “ who have published their observa-
 “ tions on the Bath waters, and given
 “ the histories of their patients cases
 “ with great exactness. These histo-
 “ ries are very valuable, and greatly
 “ assist the present practitioners in
 “ the performance of the many cures
 “ which numberless living witnesses
 “ can now testify that they have re-
 “ ceived upon the place. But surely,
 “ if the knowledge of the nature and
 “ efficacy of these waters could still be

“ rendered more extensive and certain,
 “ it would be doing great service to
 “ every individual in any country or
 “ age, who may hereafter have occa-
 “ sion for their use.

“ No body can doubt but that this
 “ hospital will greatly contribute to-
 “ wards this desirable end, who con-
 “ siders that persons of high rank are
 “ too often negligent of their own
 “ health, and by no means so exact in
 “ taking their medicines, abstaining
 “ from things hurtful, or staying the
 “ due time as could be wish'd, and is
 “ indeed necessary, in order to give
 “ the physician a sufficient opportu-
 “ nity either of doing them all the
 “ service their cases would admit of,
 “ or making observations for the fu-
 “ ture benefit of others.

“ As

“ As in this hospital every person
 “ will be under the government and
 “ direction of prudent physicians, in all
 “ circumstances regarding the health
 “ of the patient ; so that *a few years*
 “ *will furnish more histories of cases*
 “ *which may be depended upon* (if the
 “ physicians keep due registers of the
 “ sick under their care) *than any*
 “ *man's private practice could have*
 “ *done in an age* ; and as it is to be
 “ hoped that the success which may
 “ reasonably be expected from the re-
 “ gularity of these poor creatures,
 “ may induce others of better condi-
 “ tion voluntarily to imitate them in
 “ the management of themselves, that
 “ they may receive the like benefit ;
 “ every body may see how great an
 “ advantage this will be to the pub-
 “ lic, the sick will be healed, many
 “ parishes will be eased of the bur-
 “ then of their useless poor cripples,
 “ *and*

*“ and the knowledge and use of Bath
“ waters will be greatly improved, to
“ the benefit of all succeeding genera-
“ tions.”*

But notwithstanding the public were thus warmly addressed, and every thing seemed ripe for the completion of the design, a dispute arising by the artful proceedings of an attorney, afforded an opportunity to one of the trustees of the charity to procure to himself the ground intended to be built upon, and thereby, for that time, to disappoint the expectation of the public. Thus in the very infancy of this charity, did some of those who were entrusted with the care of it, from private views, retard its progress.

In this difficulty, Doctor OLIVER having ground that he thought convenient

venient for the purpose, benevolently consented to accommodate the trustees therewith, which although they agreed at one meeting to accept, for reasons now unknown, they, at a subsequent one, rejected, and thereby a second time prevented the hospital from being begun to be built.

But in the year one thousand seven hundred and thirty-seven, when play-houses were prohibited by parliament, except in the metropolis, the theatre, which 'till then had been employed as such in the city of Bath, with some adjacent buildings, were looked upon to afford a proper situation for the hospital, and were purchased by the trustees in December, one thousand seven hundred and thirty-seven, for that purpose.

On

On this, the charitable were again addressed in the public news-papers ; they were informed of what had been done ; and with a repetition of the arguments that had been before urged for the promotion of the charity, assurances were given that all donations should be faithfully applied to the purposes intended by the donors ; and the whole of their design was again submitted to the judgment of the public, to which their proceedings ought still to be liable, since not only the established fund, and the whole income of the hospital, is the product of voluntary contributions, and the governors themselves vested therewith, in trust only for the several subjects of his majesty, who by law, if they are proper objects, are entitled to it, not as a matter of favour, but as a matter of right.

Land

Land to build upon being at length acquired, and two thousand and eighty-two pounds raised, that worthy friend to the public, and patron of the distressed, RALPH ALLEN Esq; with his usual unbounded generosity, seeing the utility of this charity, not only gave to the trustees all the stone for the building of the hospital, but likewise delivered it at the work at his own expence, besides otherwise largely contributing to the promotion and support of it.

The requisites for prosecuting this grand design being thus procured, the first stone for the building was laid by the Earl of Bath on the sixth of July, one thousand seven hundred and thirty eight, after recording which, in Mr. Wood's description of Bath, page 290, are the following words.

E

“ And

“ And thus, after more than eleven
 “ years spent in fruitless attempts, the
 “ work was put upon such a footing as
 “ to be carried on without the least
 “ impediment ; *the acting trustees of*
 “ *the charity making it a constant rule*
 “ *to admit into their number every per-*
 “ *son that shewed the least inclination*
 “ *for encouraging it, and no less than*
 “ ninety-two were admitted between
 “ the twenty-second day of Decem-
 “ ber, one thousand seven hundred
 “ and thirty-seven, and the nineteenth
 “ of April, one thousand seven hun-
 “ dred and thirty-nine ; by whose
 “ contributions, and many others, the
 “ subscription was then advanced to
 “ the sum of four thousand two hun-
 “ dred sixty-eight pounds, six shil-
 “ lings, and six-pence three farthings
 “ in money.”

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A clear evidence of the advantage to be expected from such open proceedings, and a fact sufficiently demonstrating that any exclusive orders must be injurious to public concerns. How astonishing therefore is it that any such exclusion should now be countenanced in the management of this charity !

When the building was advanced almost to the second story, the trustees thought it expedient to attempt the full establishment of this charity, and for that end applied for, and obtained, an act of parliament, which took place on the first day of May, one thousand seven hundred and thirty-nine, in which, as we are informed, several persons are named governors, that never contributed towards the charity, instead of old trustees and benefactors; which was probably owing to want of recol-

lection in the managers, and not to any directions given by the trustees in general, or any quorum of them.*

The preamble of this act recites, that the medicinal waters of Bath had been found by long experience to give relief to persons labouring under divers diseases, and that it often happens that poor persons afflicted with such, live at a great distance from Bath, and cannot bear the expence of going and attending to try them for their benefit and relief. And likewise that his most excellent majesty, out of his royal bounty, with divers other charitable and well-disposed persons, had contributed and raised by free gift the sum of four thousand pounds and upwards, in order to erect an
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* See Wood's description of Bath, page 292.

hospital in the said city, for the relief and support of such indigent poor, of Great-Britain and Ireland, as are not, without such help, able to procure to themselves any benefit from the said waters.

It is therefore enacted, That from and after the twenty-fourth day of May, one thousand seven hundred and thirty-nine, there be, and shall be, a corporation to continue for ever, for the better regulating, governing, ordering, and establishing, an hospital or infirmary in the city of Bath, which shall be adjudged to be one body corporate and politic in deed and in law, by the name of the president and governors of the hospital or infirmary at Bath ; and after naming several persons of the first distinction in the kingdom, and others to the number of ninety, they and their successors,
in

in trust for the benefit of the poor, are vested with, and enabled to have and receive, all monies and contributions belonging to the said charity, and without licence in mortmain, to purchase lands and other hereditaments to any value not exceeding one thousand pounds per annum.

These governors together constitute the whole corporation, and have each of them a right to be present at every general court, and to vote in all matters that come before it. From amongst these governors named in the act, a court of committees is appointed, consisting of a president, three treasurers, and thirty-two assistants; which said several gentlemen in the act, particularly named for constituting the first court of committees, were to remain president, treasurer, and committees from the passing of the

the said act, until the first day of May one thousand seven hundred and forty, (a) on which day, and on the first day of May in every year, unless the same happens upon a Sunday, and then on the Monday next, it is required a new president, three treasurers, and thirty-two assistants should be chosen, who are to continue to be a court of committees for one whole year, and no longer.

The business of this general or annual court, which consists of the whole corporation, is yearly to elect the president, treasurers, and committees, to

(a) Be it enacted, that on the first day of May 1740, and on the first day of May every year yearly for ever, unless the same shall happen on a Sunday, and then on the Monday next following, by a general court or assembly to be then held of the president and governors of the said corporation for the time being, a new choice or election of a president, three treasurers, and thirty-two committees or assistants, shall be made and taken by the said president and governors, or the major part of them then present for the year then next following, who after such election shall continue and remain such *until the next general court or assembly to be annually held* for the election of a president, treasurers, and committees or assistants.

to choose new governors in the place of all those who die or resign, that the number of governors, out of which the court of committees is annually to be elected, may be constantly preserved ; (b) they are likewise to elect the physicians, surgeons, and register, (c) and to fill up all vacancies that shall happen by the death or removal of any persons named in the

(b) And *be it further enacted* by the authority aforesaid, *that the several person and persons to be employed as physicians, surgeons and register of and belonging to the said hereby erected corporation, shall be from time to time appointed and chosen into such their respective stations and employments by the said president and governors or the major part of them present in such general court or assembly, and by them assembled at their will and pleasure, shall and may be displaced and removed from their respective stations and employments, and other fit and able persons thereunto appointed and chosen in their room.*

(c) *Provided also, and be it enacted, that if there be any vacancy or vacancies of any of the said person or persons appointed by this act or chosen at a general court as aforesaid, happening by death or removal, such vacancy or vacancies shall be filled up at a general court or assembly to be held of the said president and governors after fourteen days notice at least as be given thereof, by affixing public notice of such election in the pump-room at Bath aforesaid, and that no such election shall be made unless there be the president or his Deputy and nine governors at the least present at such election.*

the said act; or chosen by virtue of it, at a general court, to hold any office or employment in the hospital.

When this general court or annual assembly of the whole corporation, appointed to be held on the first day of May is broke up, they have no power to assemble themselves again, as a general court, until that day twelve months, having no authority given them when met, to adjourn; for the act expressly says, that when the committee is elected, on the said first day of May, they shall continue until the *next general court* to be *annually* held.

To prevent any inconvenience from this, the president, and any seven of

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the court of committees, are (d) im-
powered to hold a weekly court, and
are authorised to take care of all mat-
ters, and to do all business relative
to the hospital; to elect and displace
servants,

(d) And be it further enacted by the authority aforesaid, that the said president or his deputy with any seven or more of the said committees or assistants for the time being, shall make a full court of committees and shall meet from time to time upon Thursdays weekly, or at such other time as they shall think fit, or such other time or times as the said president and governors by any by-law or ordinance by them to be made in a full court or assembly shall direct or appoint, and such court of committees shall have power when assembled as aforesaid in the name of the said corporation, and on their account to direct the finishing the said building and to dispose of the monies hereby vested in the said corporation in discharging or paying for the same, or in the purchase of any lands, messuages, tenements or any estates, or interest arising or derived out of any lands or tenements whatsoever, together with the yearly value of all such other lands, tenements or hereditaments, or of such estates or interests arising or derived out of the lands, tenements and hereditaments, as the said corporation or their successors shall any-wise acquire or take by virtue of this act, not exceeding, in the yearly value thereof, the afore mentioned Sum of 1000l. over and above all reprises for the use of the said corporation and their successors, for the benefit of the said hospital, and with and under their common seal to enter into any covenants or contracts for the purpose aforesaid, as they shall think fit for the better effecting and carrying on the charity hereby intended, and to appoint and choose and at their pleasure to remove, displace and supply such officers, servants, and other person or persons to be employed for the purposes herein mentioned and intended, or other the affairs of the said corporation (*other than*
and

servants, and all officers *except the physicians, surgeons, and register*, from doing which they are (*e*) expressly restrained; the same being directed to be done by the general court only.*

And indeed it plainly appears by the law itself, that the gentlemen who had the settling of this act were sensible it was impossible for them to think of every regulation, necessary for the management of the charity, to which the compulsive force of a law might be requisite. Experience alone could shew them that; — most prudently

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therefore

and (e) except such officers or persons as are herein directed to be appointed and chosen at a general court or assembly of the said corporation hereby erected) and to direct and appoint such salaries, perquisites, or other rewards for their labour or service therein as they shall approve of and think proper, and to take in such poor persons, as by this act are described and directed under their care, and to make such provision for their maintenance and cure as they shall think necessary and convenient, and to do, manage, transact and determine all such other matters and things, as shall to them, or the major part of them, appear necessary or convenient for the effecting or carrying on the purposes hereby intended.

* See the note (*b*) page 44.

therefore are the governors in a general court or annual assembly legally met, as aforesaid, impowered by the act to make (f) by-laws for the government of the same; yet to prevent any such from being compulsive, which should be inconsistent with the law of charity, or the common law of the land, it is wisely enacted that every by-law, and every alteration thereof,

(f) And be it further enacted by the authority aforesaid, that it shall and may be lawful for the said president and governors in a general court assembled as aforesaid, to make ordain and constitute such and so many by-laws, constitutions and ordinances as to them or the greater part of them then and there present shall seem necessary and convenient for the finishing the said building, and for the better governing, regulating, ordering and establishing of the said hereby erected corporation, and the officers, servants and persons by them in and about the affairs to be employed of and concerning the said hospital and infirmary, and the sick persons or patients to be taken therein under their care, and for the auditing the accounts of the said hospital and the same by-laws, orders, ordinances, and constitutions so made to put in use accordingly, and at their will and pleasure to revoke, change and alter the same, *which said by-laws, orders, and ordinances so as aforesaid made shall be* duly kept and observed so always as the said constitutions, by-laws, orders and ordinances be *reasonable, and not contrary or repugnant to the statutes, customs, or laws of this kingdom, and be approved of by the bishop of Bath and Wells, and the justices of assize for the county of Somerset for the time being,* and for which approval no fee or other reward shall be taken.

thereof, should be invalid, unless it had the sanction of being approved by the bishop and judges, as therein is directed.

Whatever laws, orders, or rules, may therefore have been made, except upon a first of May in such a general court, and except the same have been confirmed by the bishop and judges, cannot be binding on any party; though it may be urged as an apology to such as are strangers to those particulars, for the very extraordinary conduct of choosing and continuing six physicians to forty patients, and allowing three only to a hundred and twelve.

By the said act it is enacted, that
 “ any person or persons whatsoever,
 “ resident in, and belonging to Great-
 “ Britain or Ireland, whose circum-
 “ stances

“ stances are such that they are not
 “ able to have the benefit of the said
 “ waters without charitable relief, shall
 “ have a right, and be entitled to the
 “ advantages of the said hospital ;
 “ such person or persons to be chosen
 “ and admitted into the same from
 “ time to time, in such manner, and
 “ under such conditions and regula-
 “ tions, as are hereafter mentioned ;
 “ that is to say,—

“ The case of such person or
 “ persons, labouring under, or af-
 “ flicted with any disease, illness or
 “ disorder, being first drawn up and
 “ attested by some physician, or per-
 “ son of skill in the neighbourhood
 “ of the place where such person or
 “ persons have resided for some time
 “ before, of such the state or
 “ condition of such person or persons,
 “ and a certificate of the poverty or
 “ circum-

“ circumstances of such person or
 “ persons, attested by the minister and
 “ church-wardens of such place, or
 “ other creditable persons, being trans-
 “ mitted to the register of the said
 “ hospital, together with the age or
 “ ages of such person or persons, such
 “ certificates shall be laid by the said re-
 “ gister before the committee of the
 “ said governors appointed to meet on
 “ Thursday weekly, or at such other
 “ time as they shall think fit, which
 “ committee shall consist of the num-
 “ ber of seven at least, at which
 “ committees the physicians and sur-
 “ geons belonging to the said hos-
 “ pital are to attend, having notice
 “ from the register of the time of
 “ such meeting; and that at the next
 “ committee happening after the re-
 “ ceipt of such cases and certificates,
 “ the same shall be taken into confi-
 “ deration; and if it shall appear
 “ and

“ and be adjudged, by the major
 “ part of the said committee then
 “ present, that such person or persons
 “ is or are proper objects of the said
 “ charity, it shall be then entered or
 “ minuted down in a book or books to
 “ be kept for that purpose by the said
 “ register, and orders shall be given to
 “ the said register to signify the same
 “ to such person or persons, or to the
 “ minister or ministers of the place or
 “ places of which such person or per-
 “ sons is or are ; and that so soon af-
 “ ter as there is a vacancy or vacancies
 “ in the said hospital, the said regis-
 “ ter shall notify or make known the
 “ same by letter or letters, or other-
 “ wise, for such person or persons to
 “ come to the said hospital within a
 “ reasonable time to be limited for
 “ that purpose, which said person or
 “ persons so to be admitted shall
 “ bring back the letter or letters so
 “ wrote

“ wrote or sent from the said hospi-
 “ tal, touching his, her, or their
 “ admission, together with a certifi-
 “ cate or certificates, if such person
 “ or persons come from any part of
 “ England or Wales, under the
 “ hands and seals of the minister of
 “ the parish, church-wardens and
 “ overseers of the poor of the parish,
 “ township or place, or two of them
 “ belonging to such part of England
 “ or Wales, or under the hands and
 “ seals of the minister of the parish
 “ and overseers of the poor, or any
 “ two or more of them, where there
 “ are no church-wardens, to be at-
 “ tested by two or more credible wit-
 “ nesses, thereby owning and ac-
 “ knowledging the person or persons
 “ mentioned in such certificate or
 “ certificates, to be an inhabitant or
 “ inhabitants legally settled in, or be-
 “ longing to that parish, township

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“ or

“ or place, every such certificate ha-
“ ving been allowed of and subscri-
“ bed by two or more of the justices
“ of the peace of the county, city,
“ liberty, borough or town corporate,
“ wherein such parish or place doth
“ lie, to the end that such person or
“ persons, when discharged from the
“ said hospital, either cured or as in-
“ curable, may be removed and con-
“ veyed back to the parish or place
“ from whence such certificate was
“ brought, a copy of which certifi-
“ cate shall upon the admission of any
“ person or persons into the said hos-
“ pital be delivered by the register to
“ the church-wardens and overseers
“ of the poor of the parish of St.
“ Peter's and St. Paul's in the said
“ city, or some or one of them ; and
“ the said register shall also give no-
“ tice in writing to the said church-
“ wardens and overseers of the said

“ parish, or some or one of them,
 “ from time to time, as often as any
 “ such person or persons are dischar-
 “ ged out of the said hospital ; or if
 “ any such person or persons so to
 “ be admitted come from Scotland or
 “ Ireland, then such person or per-
 “ sons shall not only bring back the
 “ letter or letters so wrote or sent
 “ from the said hospital, for his, her,
 “ or their admission, but also such
 “ certificate or testimonials touching
 “ the place or places whereto he, she,
 “ or they did or do belong, in or-
 “ der to return thither when dischar-
 “ ged from the said hospital, either
 “ cured or as incurable, as the said
 “ governors shall by any by-law, or-
 “ der, or ordinance, to be made in
 “ and by virtue of this act, direct,
 “ require, order or appoint.”

There is likewise a clause to secure to the patients of the hospital the use of the old hot bath and the old pump ; and the remaining part of the act is to secure the parishes from expence, on account of such vagrants as resort thither for cure.

Having now shewn the substance of the law from which the whole power of the trustees is derived, let us next see how far the several orders and resolutions they have made, are consonant to it, and to the several good purposes, intended by the contributors to this charity.

In Book numb. 1. entitled the committee book of the trustees of the general hospital, are the following entries.

December 7, 1738, page 90.

“ It is ordered that all the physicians

cians and surgeons of the hospital be desired to attend a committee of the trustees on board days to consider of the cases, and to order the secretary to transmit answers to the several persons as shall be adjudged proper by a majority of the physicians, surgeons and trustees then present."

"All differences which may possibly arise about the qualifications of the persons recommended to the hospital shall be determined by a majority of persons present; but if an equality of votes shall happen, such equality shall prevail always for the admission of the person whose case was disputed."

June 16, 1739.

It is recorded that the act for establishing and well governing the hospital or infirmary in the city of Bath was that day read.

May

May 1, 1740, page 146.

“ Doctors, William Oliver, Edward Harrington, and Alexander Rayner, were elected physicians to the hospital; Mr. Jeremiah Pearce surgeon, and J— Morris apothecary.”

November 26, 1741, page 167.

“ Ordered, that all the gentlemen of the faculty of physick be desired to meet here this day se’nnight at the same hour to consider of providing proper utensils for the apothecary’s shop.”

May 18, 1742.

It is recorded that the hospital was then opened for the reception of patients.

June 3, 1742, page 199.

“ Ordered that no person shall be admitted a surgeon to this hospital,
but

but such only as have served seven years apprenticeship to a person of reputation in his profession."

" Resolved, that on Thursday the twenty-fourth instant, at a general court, there will be an election of surgeons for the hospital, and that notice thereof be put up in the pump-room."

June 24, 1742, page 204.

" Resolved, that any surgeon who has been regularly bred, and qualified in the opinion of a general court, may be elected surgeon to this hospital, though he shall not have served seven years."

" Ordered, that Mr. Archibald Cleland, Mr. Thomas Palmer, Mr. H. Wright, and Mr. John Donne be, surgeons to this hospital."

The

The order and resolution at the first of these meetings, as I have been informed, was made to preclude a particular person from being received surgeon to the hospital, and the order at the last was made to admit him. This very gentleman on whose account these contradictory orders were made, was suspended on the seventh day of September, one thousand seven hundred and forty-three, and on the twenty-first of the same month dismissed: But in the records of the management of the governors of this charity, no reason is entered for any one act they have done; so that it is impossible for any one from the inspection of their books to form any judgment of the rectitude of these proceedings.

January 20, 1742, page 248.

It is recorded that Doctor Harrington was the attending physician for the ensuing week.

January

January 27, 1742, page 250.—
Doctor Rayner the then Week.

February 3, 1742, page 251.—
Doctor Oliver attended for that week.

June 15, 1753.

The president and governors ordered the secretary to send a letter to the bishop, in which was the following paragraph.--“ The governors hope
“ that your lordship will excuse giving
“ you this trouble, *the well being of*
“ *the hospital depending upon the*
“ *full publication of the law, by*
“ which all their proceedings must
“ ever be determined and regulated.”

Can any one read this and not be astonished, that after such a declaration the laws relating to the management of the hospital are not only con-

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cealed

cealed from the inspection of the public, but openly violated to answer a private purpose diametrically opposite to the intention of those who established the charity ?

Committee-book the second.

May 15, 1744, p. 3, 4.

“ Resolved, that after the patients now in the house are reduced to forty, that number shall not be exceeded for the ensuing year, 'till the first of May, one thousand seven hundred and forty-five.”

* “ Resolved that Doctor Hartly, Doctor Bostock, and Doctor Brewster, are elected physicians to the hospital.”

May

* This election was made clandestinely without any previous notice put up in the pump-room.

May 23, 1744, p. 7.

“ Resolved that the following advertisement be inserted in the public papers.

“ Whereas the admission of too great a number of patients into the hospital at Bath has occasioned the expence of the said hospital to exceed the yearly receipts, the governors are come to a resolution to reduce the number of patients to forty, and not to admit of any more than that number at any one time, 'till May-day next ; of which they think fit to give this public notice.”

By this entry in the hospital books of the election of these three physicians, they might, for all that appears there to the contrary, have been chosen in the room of the former ; but the

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follow-

following entries clearly prove, that they were not chosen in their room, but to act in conjunction with them.

May 30, 1744, page 8.

It is recorded that for the ensuing week the physician was Dr. Brewster.

June 6, 1744, page 10.

Doctor Oliver.

June 13, 1744, page 12.

Doctor Harrington.

June 20, 1744, page 14.

Doctor Alexander Rayner.

June 27, 1744, page 15.

Doctor Bostock.

July

July 4, 1744, page 16.

Doctor Hartly.

August 15, 1744, p. 22.

“ Mr. Philip Ditcher is this day elected one of the surgeons to this hospital.”

This election does not appear to have been made by virtue of any public notice; or on the first of May, as the act directs.

October 31, 1744, p. 35.

“ Resolved, that Thursday the fifteenth of November next be appointed for a general court, at five o'clock in the afternoon, and that notice be given thereof by the register, in the pump-room.”

“ Received

“ Received a letter from Mr. Giles Jones, surgeon, desiring to be admitted into the hospital as a surgeon, which is to be referred to the general court of the 15th instant.”

If this notice was necessary for the election of Mr. Jones, why was it not given when Dr. Hartly, Dr. Bostock and Dr. Brewster were elected physicians, and when Mr. Ditcher was chosen surgeon, since none of those elections were made on the first of May, the only day appointed for a general court, at which, and which only, this business could be legally done.

November 15, 1744, p. 38.

“ Mr. Giles Jones was this day duly elected a surgeon to this hospital.”

“ Ordered,

“ Ordered, that the number of patients which at present are forty, be increased to forty-five, in consequence of Mr. Colestone's benefaction.”

February 11, 1746, p. 183.

“ Resolved, that if any physician or surgeon attending the said general hospital shall affirm that any patient (though not his own patient) has in his opinion received some benefit, and to the best of his judgment may receive future benefit, such patient shall be continued, 'till dismissed in the usual manner.”

May 1, 1747, p. 202.

“ Resolved, that six physicians, and no more, attend this hospital.”

“ Resolved, that six surgeons, and no more, attend this hospital.”

“ Resolved,

“ Resolved, that Doctor Woodford, and Doctor Moysey, be desired to attend this hospital as physicians to the same.”

N. B. At this time Doctor Rayner and Doctor Bostock were dead, though no mention is made of it in the hospital books. And these gentlemen were elected in their room.

May 6, 1747, page 204.

It is recorded that for the ensuing week the physician was Dr. Woodford.

May 13, 1747, page 206.

Doctor Moysey.

May 20, 1747, page 207.

Doctor Harrington.

May

May 27, 1747, page 208.

Doctor Hartly.

June 3, 1747, page 209.

Doctor Brewster.

June 24, 1747, page 212.

Doctor Oliver.

November 2, 1748, p. 193.

“ Doctor Brewster reported that Doctor Hartly has resign'd being a physician to this hospital, on account of his ill state of health, at which time Doctor John Sommers was unanimously elected in his room.”

“ Ordered, that the thanks of this court be presented to Doctor Hartly, for the many benefits this house has received of him, and that Doctor Brewster is desired to signify it to Doctor Hartly.”

I

To

To elect a phyfician on this day of the year the governors had no power, efpecially as they did not give the notice required by law of holding a court for that purpofe. This election of a phyfician the instant a vacancy happened was made on purpofe to prevent another gentleman from foli-citing the appointment, which was fufpected to be his intention by many of the governors then prefent.

November 16, 1748.

It is recorded that for the enfuing week Doctor Sommers was the at-tending phyfician.

May 1, 1749, p. 223.

“ Ordered, that the number of patients taken into this hofpital, for the enfuing year, be feventy-five.”

Com-

Committee-Book the third.

May 1, 1750, p. 55.

“ Ordered, that the number of patients taken into this hospital, for the year ensuing, be eighty, exclusive of Lord Colerain's patient.”

“ Ordered, that the number of physicians and surgeons attending this hospital be only three of each, as soon as they shall be reduced to that number by death or resignation.”

“ Doctor Hartly acquainted this general court that he resigns being governor of this hospital.”

“ Doctor Harrington finding himself incapable of performing his duty in this hospital, desires leave to resign.”

“ Ordered, that a committee be appointed to consider of what by-

laws may be of service to this hospital, and that they do report their opinion at the general court of the first of May, one thousand seven hundred and fifty-one, for examination of the same according to the act of parliament."

May 1, 1751, p. 122.

" Ordered, that the court of committees or assistants do consider what by-laws will be necessary for the benefit of the hospital, to be confirmed by the bishop of the diocese, and judges of assize, and report their opinion at the next general court."

May 29, 1751, p. 126.

" Resolved, that a hundred and twelve patients, sixty-three men and forty-nine women, be received into this house for the ensuing year, being the

the whole number that the house will conveniently hold."

In the printed account of the charity to May, 1758, after closing the preceding year's account, is the following notice.

" This hospital was open'd for the reception of patients in the year 1742, and the governors, by the generous benefaction of the public from the year 1750 'till last year, were enabled to admit as many patients into the house as it would conveniently hold : But the benefactions being much less than usual, and the constant number of the patients in the hospital above a hundred, the annual expence hath reduced the capital near one thousand pounds in two years : Wherefore the governors have thought it adviseable to limit the number of patients, to
be

be at one time in the house for the ensuing year, to seventy, exclusive of Lord Colerain's patient ; but hope, by the experienced generosity of the humane, again to extend this useful and good charity."

It appears likewise by the books, that one or other of the physicians to the hospital has constantly been the president or vice-president of the committee, from the first institution of the charity, a thing never known in any other charity of the same kind.

From the twenty-ninth of May, one thousand seven hundred and fifty-one, 'till April, one thousand seven hundred and fifty-seven, when my reflections on the uses and abuses of Bath waters were published, I do not find that any fresh orders were made ; all was conducted under those before recited :

recited : But the chapter relative to the hospital in that publication, giving great umbrage, several extraordinary resolutions and orders have been since made, the substance of which may be learned from the following pages ; though an exact copy of them was not attainable.

The sight of them having been refused not only to me, because I am not a governor, but to a governor likewise, because I was with him : Notwithstanding it was agreed at a general court, that any person should be admitted to inspect the books : Nay, those gentlemen who are the immediate acting rulers of this charity, are so very conscious that their conduct will not bear the light, they now make oral instead of written orders, and have absolutely forbid any extracts being made out of the hospital books
by

by any person whatever ; alledging as a reason for so doing, that I had once published against the hospital, and that they imagined my intention was to do so again. But let these gentlemen consider what I have published, and they will find, it has not been against the hospital, but against that particular part of the conduct of its rulers, which I think injurious not only to the charity, but to the public in general.

If what I then published was false, why do they not shew it to be so ; and if their orders since that time be such as are consonant to law, to reason, and to the intentions of the promoters of the charity, could I do them more honour than in making them known to the public ?

Nothing implies guilt more than concealment ; and shall those who
are

are charged with misconduct in a national charity be thought undeserving of censure, while they neglect to justify themselves, and refuse to submit their proceedings to the inspection of those who support that charity? — To the public, and to their own consciences, I leave the reply.





CHAP. III.

A narrative of my attempt to be elected one of the physicians to the Bath hospital; of the behaviour and proceedings of the governors, committees, and physicians, thereupon; and of their conduct on similar occasions.

HEALTH is the most valuable of human enjoyments, and no trust can be greater than that reposed in physicians; of consequence no plea can justify them in a wilful neglect of their duty.

Honour and humanity are as necessary qualifications for a physician,

fician, as knowledge in medicine ; and it is impossible for the mercenary, mean, or malicious, to exercise the art of physick in that disinterested and benevolent manner with which it ought always to be practised. It has been the study and employment of the greatest and the best of men ; and it is said, *of the most HIGH cometh healing.*

From a due regard therefore to the dignity of my profession, I thought myself indispensably bound, on my fixing at Bath, to use every means in my power, to obtain an insight into the nature and properties of Bath waters, and into the different ways of using them, in the various disorders to which human bodies are liable, conscious that the sick who resort to Bath for health, must be such as are afflicted with diseases in which those

waters are esteemed particularly proper, and that physicians there would be chiefly consulted on that head.

And as observation is a surer guide than theoretic reasonings, in the discovery of physical truths, and *theoretic reasonings should not be prior to, but the consequence of observation and experience ; it was my design to collect together the several histories of cases which had been published by my predecessors at Bath, that I might know, from facts, what Bath waters had done in the cure of diseases ; but finding no certain rules to be drawn from thence, for reasons assigned in my reflections on the uses and abuses of Bath waters, (page 4, 5) I was obliged to steer by the light of chymical experi-

* Repertis medicinarum remediis, homines de rationibus eorum discedere cepisse : nec post rationem, medicinam esse inventam, sed post inventam medicinam, rationem esse quaesitam.

Celsus. *Præf.*

experiments alone, which, by demonstrating what the waters contained, enabled me to consider the nature and properties of their constituent parts, and thence, upon rational principles, to direct their use.

But as systems, which are the product of theoretic reasonings, though founded upon the most established experiments, are not always indisputable, I have been truly solicitous to have the reflections I deduced from the chymical rationale of Bath waters, either confirmed or disproved, by the publication of a sufficient number of cases, wherein the waters had been fairly tried, and their natural effects on animal bodies fully proved; confident that nothing is more just, than that observation is the source of every art, that thereto we are indebted for their progress, and by that it

is, that they are brought to perfection ; for although reflection has a considerable share in the advancement of knowledge, yet truth is distinguished from fallacy by the effects of observation alone ; lest therefore any thing I had advanced on the nature of the waters, with a view to point out the best methods for their use, should be fallacious, and in any instance misguide the practitioner, before my private experience enabled me to discover and correct the mistake ; I esteem'd it my duty to offer my service to the general hospital, in hopes of being enabled from the observations arising from the number of patients received therein, to demonstrate whether what I had published be right or wrong, sooner than it was possible for me to do by my own private practice.

Being

Being informed that the governors were proceeding to elect a physician to the hospital, without giving the notice required by the act; and having learned that the physicians to the infirmary were reduced from six to two only, though the patients were encreased from forty to one hundred and twelve; and consequently that there were four vacancies, and a greater need of assistance than ever, without intending to become a competitor with either of my worthy brethren who desired to be admitted at the same time, I addressed myself to the governors by sending to each of them the following letter.

To the president, treasurers, and governors of the general hospital or infirmary at Bath.

My lords and gentlemen,

The nomination of a person to be a trustee of a charity, is a mark
of

of the highest confidence, and it would be iniquitous in any one to think that, among the governors of the Bath Infirmary, any gentleman would, from any private motive, knowingly countenance a proceeding which might impede or contract the utility of so excellent an institution ; or that such a number amongst them, as are requisite to constitute a committee or general court, should unanimously persevere in an open violation of the express orders of the statute under which they act, and at the same time sanctify the violation itself, by giving to it the name of a law, especially when any one in behalf of the charity and the public, appeals to them as its guardians for a redress of the grievance.

I beg leave therefore to remind you,
that the infirmary of Bath was established,

blished, not only with a view to relieve the calamities of the distempered poor, whose disorders required the assistance of Bath waters; but likewise that the practitioners in physic should thence learn what effects the waters would produce on the body, when assisted in their operation with a proper regimen; which is a knowledge highly necessary to be acquired by all who take upon them to administer the waters, and not to be attained by any attendance on the sick, where a perseverance in such a regimen cannot be commanded.

But this great and good intention can never be obtained from this charity, so long as the physicians thereof are limited to two or three only, and even those who are honoured with the appointment, neglect to favour the

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public

public with a faithful narrative of the disorders, &c. of the several patients received therein; a performance which has hitherto been totally neglected, though it has long been called for by the general voice of the people; though it has been frequently promised; and though every individual must be more or less interested in its due execution; surely therefore it is now time that the gates of the hospital should be laid open, and every gentleman of the faculty admitted, who is desirous to contribute his assistance to the relief of the poor, or to use his endeavours for improving his own knowledge for the benefit of the rich, or the honour of the healing art.

But if to so reasonable and disinterested a method of proceeding, objections should be made, permit me
with-

without offence to observe, that the act of parliament for establishing the said hospital, is as compulsive in one part as in another; and the letter of the statute, and that only, gives power to the governors, or limits them in their proceedings.

In this law, amongst other things, it is enacted by the authority of the king's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons in parliament assembled: " That
 " the several persons to be employed
 " as physicians, surgeons, and register
 " of the hospital, shall be from time
 " to time appointed and chosen into
 " such their respective stations and
 " employments by the president and
 " governors, or the major part of
 " them, in a general court or assembly; and by them assembled, shall

"and may be displaced and removed
 "from their respective stations and
 "employments, and other fit and able
 "persons appointed and chosen in their
 "room. And likewise, that if there
 "be any vacancy or vacancies of any
 "of the said person or persons appoin-
 "ted by this act, or chosen at a gene-
 "ral court as aforesaid, happening by
 "death or removal, such vacancy or
 "vacancies shall be filled up at a gene-
 "ral court or assembly, after fourteen
 "days notice at least to be given
 "thereof, by affixing public notice of
 "such election in the pump-room at
 "Bath, and that no such election shall
 "be made unless there be the presi-
 "dent or his deputy, and nine gover-
 "nors at the least, present at such
 "election."

In the year 1744, although the
 patients in the hospital were reduced
 to

to 40, which are now more than 100; it was thought right to increase the physicians from three to six, and six were accordingly elected. In May 1747, when the utility of that number had been three years experienced, it was resolved by a general court, (as by the entries in the books of the charity will fully appear) that six physicians, and no more, should for the future be the number appointed to attend the hospital.

Of this number two only are now remaining, in obedience therefore to the above recited clause from the act for establishing the infirmary, it is incumbent on the governors to fill up these vacancies by the election of four other physicians. And as the 18th instant is appointed for a general court to elect a physician or physicians, though not duly noticed as by the act
in

in that case is directed, I, having not the honour to be personally acquainted with many of the governors, beg leave to take this method of requesting each of them to favour me with his vote to elect me a physician to the hospital, in the room of one of those gentlemen who have declined the office; in hopes, that by the experience I may meet with therein, I may soon be enabled to perform the promise I have given to the public in my *reflections on the uses and abuses of Bath waters*, by publishing to the world a collection of cases, which may demonstrate from facts the real utility of Bath waters in the cure of distempers, and confirm, or enable me to correct, the sentiments I have already published on that subject. From this motive, and this alone, I solicit the appointment, though attended with trouble, and unaccompanied with profit; to which, if I have the honour

honour to succeed, I shall studiously endeavour to merit the thanks of the public, and to give satisfaction to my electors, to whom, though unknown, I beg to be esteemed,

My lords and gentlemen,

Your most obedient

Humble servant,

BATH May 12th 1757.

W. BAYLIES.

The perusal of this letter so convinced the principal agent among the governors, that electing a physician without public notice of the election was expressly contradictory to the letter of the act, and not to be justified, that the subsequent day by some unknown authority, without any assembly of committees being called to direct it, a paper was fixed up in the pump-

pump-room, notifying that the election of a physician to the hospital was intended to be made on the eighteenth instant, imagining that such public notice, though it was not for the number of days required by law, might sufficiently remove every objection on that account, to any election that should then be made.

This readiness of conviction, and immediate endeavour to rectify what was wrong, gave me reason to hope that the irregularity in the proceedings of the hospital governors, had not been the result of design, but was attributable only to their inattention to the act of parliament. And indeed I began to lay aside all doubt of its being so, from finding several of the governors, whom I had the honour to speak with on this occasion, explicit in their opinions, in telling me my
foli-

solicitations were right and reasonable, and that they thought the hospital ought to be laid open to all the physicians at Bath, that the patients may be deprived of no benefit which the skill of any one could afford them, and that the knowledge attainable from the experience of the hospital, may be as extensive as possible. But some of those gentlemen, who declared to me that my solicitations were right, afterwards gave up their judgment to the dictates of others, suffered themselves to be carried away with the torrent, and, at the hour of election, agreed to the confirmation of an order destructive of the purpose I had in view, and which they had before approved.

From the distribution of this letter, the subject became the general

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topic

topic of conversation, and so alarmed the brotherhood, that many of the faculty, like the silversmiths in the time of Demetrius, began to make a great stir in the city, and on the eighteenth day of May, at the hour appointed, rushed with one accord into the theatre, where, when they were assembled together, that the matter might come properly before the governors at a general court, the before recited letter was sent under cover to the secretary, directed for the president and governors, and inclosed in the following.

My lords and gentlemen,

The application I have made to you separately, to induce you to keep up the number of physicians to the hospital, has given you time deliberately to consider the merits of the
mat-

matter; and now that the subject may be properly introduced to your joint consideration, I take the liberty of directing one of the same letters to you when assembled in a general court, being confident that you will, in all your proceedings, strictly regard the letter of the statute for establishing the hospital, and will, by every resolution, endeavour to support the charity, and to promote every good end it was intended to produce.

I am,

My lords and gentlemen,

Your most obedient

Humble servant,

BATH, May 18,
1757.

W. BAYLIES.

This the secretary, as it was his duty, delivered to the governors, when

M 2

they

they were assembled in open court, and the same being publicly read, the matter was taken into immediate consideration. But the notice, for electing on that day, not having been put up in the pump-room for fourteen days, as required by the act, a question was put, whether they could then legally proceed to an election, or not? Which question (that the public might not think they totally disregarded all injunctions of the act) was determined in the negative; and in consequence thereof it was resolved that they would defer the election to the second of June, and that due notice should be affixed in the pump-room of their then holding a court for that purpose.

This point being settled, though the patients at the time of this meeting were upwards of an hundred, the
next

next question was, by which resolution, order, or by-law, they, the governors, should for the future regulate their conduct ?

Whether by that made on the day when the patients were reduced to forty, in May 1744, and which was confirmed at the general court on the first of May 1747, wherein it was resolved that six physicians should be the number to attend on the hospital, and in consequence whereof six were elected and continued ?

Or, by that made on the first of May 1750, at a like court, immediately before Dr. Harrington's resignation was accepted, which was that day made, and after increasing the patients from forty to eighty ; whereby it is ordered that the physicians to the hospital should be limited to three, and three only,
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so soon as those then in attendance should be reduced to that number by death or resignation ?

This question was put to the governors in the manner above, that whatever resolution should be made thereon, should be divested of all appearance of prejudice to me, and look as if the same was done in support only of their last former order, or by-law, made and agreed to at a time when there were no disputes.

But that no one may be deceived by such subtilty and artifice, let the reason, hereafter assigned, for the making of this last mentioned order, be duly considered ; let it be also remarked, that neither this nor any one order of the governors, was ever confirmed by the bishop and judges, as by the act is required, and that for
want

want thereof, they must be in every respect invalid ; and let it be further observed, that as the governors at a general court had, by virtue of * one clause therein, elected six physicians to attend the hospital, they were ever after obliged by ‡ another, to elect others in their room, whenever either of those, so elected, died or resigned the employment.—I say, let any one consider these particulars, and to his decision I leave the determination, whether it be not inconsistent with the intentions of those who first promoted the charity, with reason, with the justice due to the public, and with the law itself, that this last order has been adopted ?

In debating this question, Sir Robert Throckmorton Bart. Anthony Keck
and

* See note (b) page 44.

‡ See note (c) page 44.

and John Roffy Esqrs. with Doctor Davies, governors, equally impowered with any other gentlemen in the management of the hospital, and above influence from any private motive, moved with a true communicative Christian spirit, and anxious to promote every means that might tend to augment the funds of the charity, which, at that juncture, were loudly proclaimed to be on the decline, strenuously urged that every gentleman of the faculty, who was precluded admission into the hospital, would naturally withhold any contribution he himself might be inclined to give to its support, and that, as each of them had his friends, it might be reasonably concluded, they would do so likewise.

Wherefore, as there was no additional expence to the infirmary, from an increase of physicians, it seemed
to

to them not only reasonable for the good of the community in general, but their duty, as trustees to the charity, to preclude no person whose good-will towards it might any ways tend to its support, and therefore they were of opinion, that the number of six physicians ought to be continued.

The necessity and rectitude of this argument, to prevent any man being made an enemy to the charity, the resolution of the governors, at the next annual court, fully demonstrates; whereby it appears, that the income of the hospital was greatly lessened, and the capital so considerably reduced, as to make it necessary to decrease the number of patients to seventy, for want of a sufficiency to support them.

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But

But, unanswerable as this must appear to every one who is a friend to the hospital, from no motive but the true principles of charity, they will not be surprised to find it of no force, when they maturely consider how the vacancies in the corporation for managing the hospital have been generally filled up; and that in reply thereto, a very distinguished gentleman among the governors informed the court, that he had the honour to be governor of many hospitals in London, that he had made it his business to enquire how many physicians were attendant on each, that three were the utmost attendant on any, that they were enough to attend this, and that by the succession of a greater number the sick would be injured, by being subjected to a variety of practice from many opinions; wherefore he thought it his duty to oppose any increase of physicians to the hospital at Bath.

Had not this gentlemen been too sanguine in the opposition he intended, he might probably have made a more accurate enquiry, and, on a little better consideration, seen the insignificance of his own arguments ; he might have observed, that hospitals in London are many, in Bath only one ; that the cases received into the former are such as are to be met with in all hospitals ; those in the latter in that, and that only ; that the physicians to the former have numbers of pupils to render the observations afforded therein extensively useful ; that those to the latter have no pupils at all, and that for want of the cases therein being made known to the public, the knowledge they afford is monopolized for the present, and must be lost in the end ; that therefore the hospitals in London ought to be no rule, in this particular, for that at Bath.

Nay,

Nay, had he been careful in his enquiries, he would have found, that his averment, of no more than three physicians being attendant on any hospital in London, is without foundation; as he would likewise, that the disadvantage, which he talks of being produced to the sick, by an increase of physicians to the Bath hospital, has existence only in his own imagination; for though each of the physicians thereto attends in his turn, to receive patients into the hospital, yet the patients are never assigned to the care of another physician, but continued from the time of admission to that of their discharge, under the care of him who was attendant at the time they were received, and under his care alone, unless from the obstinacy of the case, that physician finds it expedient to call to his assistance either of the other. And whether three physicians
be

be sufficient to attend this hospital, or any other, in which are upwards of a hundred invalids, when those three boast of having the chief employment amongst the opulent at Bath, I leave to the decision of any man of common sense, without any further remarks on so absurd a position.

Having now answered all this worthy gentleman's observations, I will proceed to the conduct of my brethren in this important debate.

And, first, I must observe, that Doctor OLIVER, who has long held the reins of the government of this hospital in his hands, and whose regard to humanity and the duties of his profession, with his readiness to sacrifice private pique for the benefit of the sick, I have laid before the

world

world in a former publication,* at the head of his several dependents, who were fearful of his opposition, in the exertion of the lower branches of his profession, from the chair of the committee, with the utmost heat and acrimony declared, if more than three physicians were elected, he, for his part, would be no longer concerned in the care of the charity, and that his colleague, Doctor MOYSEY, then absent, was fixed in the same resolution.

Had this happened, how great the loss of their assistance must have been to the poor of the hospital, let the public judge, from the honour and humanity of the one, manifest in the case of Mrs. Purdie, above referred to, and of the other in the following instance.

Last spring, one Mr. Weld, a gentleman of Dublin, afflicted with an icte-

* See my Narrative of Facts, Page 25.

icteric complaint, was sent to Bath in hopes of relief, where he committed himself to my care, under which his disorder not lessening as I wished, but his pulse beginning to intermit, and critical symptoms of a dangerous nature arising, it was proposed Doctor MOYSEY should be called into consultation if I had no objection to him, and as I had not, he was sent for accordingly ; but the doctor being from home at that time, an hour was appointed by the patient for our meeting at his apartment.

I attended according to appointment, but before that time the doctor had called on the patient by himself ; and been informed that he was under my care ; whereupon he was pleased to say that he was in very good hands, and to use some other genteel expressions with regard to my character ;
but

but that as I had published a book relative to the hospital, he could not, consistent with his engagements with the physicians thereof, meet me in consultation.

In answer to this, the lady of the patient, far advanced in her pregnancy, and oppressed with concern at the dangerous condition her husband was in, with all the moving rhetoric of nature which affection and distress could inspire, begged of him, that if he could not consult with me, he would, nevertheless, for her satisfaction, favour her with his opinion of her husband's disorder; to which he replied, he would come in the afternoon, and would then meet the apothecary Mr. Haviland, and after seeing what had been done for him, would freely give her his opinion of the whole.

On

On Mrs. Weld's informing me of this, I went to the apothecary, and desired him to shew the several prescriptions I had wrote for the patient, without any reserve ; but if Doctor MOYSEY insinuated that any thing had been done amiss, to insist on his reasons for his opinion, that I might justify my practice, by submitting my prescriptions, and my reasons for them, to the decision of the learned in the profession.

But before the hour came for giving his opinion, this worthy gentleman had altered his mind ; and though he waited on the patient at the time fixed, he did not choose to proceed farther ; when he came, he asked the patient, if he was for the future to be under his, or Doctor Baylies's care ? And being answered, of the latter ; instead of examining
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into his case, and giving his opinion of it, he repeated what he had said at his former visit, that he was in good hands, that he was sorry he could not consult with me for him, but that he would not on any consideration; and although he was urged to it as before, in the most moving manner imaginable, he, regardless of his duty in his profession, of humanity to the distressed, and of the ties of honour, reason, and charity, immediately withdrew; leaving the patient to the fury of his disease, without endeavouring to assist him.

How would the poor have deserved to be pitied, had this man of singular humanity, with his illustrious friend, deserted the hospital on the admission of any but an eminent CHARLETON?

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This benevolent resolution of leaving the hospital, made by these two great luminaries in physic, was seconded (as I was informed, tho' now it is denied) with a declaration made by some gentlemen then present, in behalf of him who has since been elected, and of another who was then candidate with him, that if the governors should resolve to admit more than three physicians, they, for their parts, would neither of them accept the employment.

But whether this declaration was made for them or not, it is certainly true that these two gentlemen, being governors of the charity as well as candidates for physicians to it, gave their votes that three physicians only should be attendant on the hospital; though by that means each of them

was uncertain but he excluded himself from the office he was soliciting.

Could any behaviour shew a more implicit submission to the will of their leaders ?

These menaces to deprive the hospital of its physical aid, made by the leading men in the profession, amongst those who were dependent upon them, could not but prevail against the arguments of any four disinterested gentlemen, in the decision of a question to be determined by a majority of voices.

Vigilant as the fraternity and their friends were to an observance of the letter of the act, in determining the question, upon the legality of electing on too short a notice ; yet, steady to their
their

their original private designs, regardless of the mandates in the clauses of the act, wherein the interest of the sick, and of the public, are particularly concerned, they resolved to abide by their illegal and uncharitable order, made on the first of May, one thousand seven hundred and fifty, though it had never been confirmed by the bishop and judges, as the statute requires. And in pursuance thereof, they resolved to hold another general court on the second of June, to elect one physician, and one only, though four out of the six, elected in the year one thousand seven hundred and forty-seven, were then dead, or had resigned; and though the law expressly directs every such vacancy to be filled up, after fourteen days notice to be given thereof.

Matters

Matters being thus settled, the court adjourned to the second of June, and notice thereof was given accordingly.

It must be observed, that at this meeting, when these resolutions were made, more than thirty governors were present, a larger number than had ever attended on any occasion since the establishment of the hospital; and that amongst these, twenty and upwards were physicians, surgeons, and apothecaries, most of which were not made trustees by the appointment of the act, but from time to time elected to answer such purpose as was now to be transacted.

Indeed, as often as any vacancy, of late, has happened amongst the governors, out of which the committees are annually to be elected, such vacancy

cancy has generally been filled up with some apothecary, or other person, dependent on the leading physician, or interested in supplying the hospital with some sort of necessary ; though the hospital is not a charity peculiar to Bath, but a national one, and though no place is fuller than Bath with gentlemen, who are perfectly independent, and in all respects qualified to be trustees of any charity.

Of so much consequence have the rulers of this hospital, looked upon the electing of committee-men to be, that they have not only been thus cautious in the election of them, but have taken upon them to leave out such, as after having once been elected, have not proved pliant to their purpose.

For Doctor Davies, a gentleman of indisputable integrity, who was one of
the

the committees, and forbore to attend the business of the hospital, from a resolution not to countenance proceedings he could by no means approve, was for his non-attendance on the committee, excluded from amongst them. Yet, at the time of leaving out this gentleman from the committee, for non-attendance, the governors elected another in his room; and who should that be, but the son of Doctor WILLIAM OLIVER, who at that time, and 'till a few months ago, had been out of this kingdom; so that it was impossible for him to attend the charity; which, with these governors, was no objection to Mr. Oliver's being made and continued one of the committees, though Doctor Davies's non-attendance was reason sufficient with them to strike his name from the list.

The

The conversation that passed about the former meeting, made many persons, who were not governors, desirous to be present at the next, which every man has a right to be if he pleases, since these meetings are by the act declared to be public courts. This indeed the governors for awhile disputed, but, with some degree of reluctance, at last allowed, and in consequence thereof a few strangers, who requested it, were permitted to be present.

At this court, after the resolutions of the former meeting were read, and the publication of their notice to elect a physician was proved, the governors then present proceeded to election, and appointed Doctor CHARLETON the third physician; but for some particular reasons, best known to themselves, they made this election

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by ballot, a method never before practised amongst them on any occasion.

At this general court, many undeserved censures were passed on the secretary, for letting me have a sight of the hospital books, which he did not do of his own accord, but by the direction of a governor, and without the least promise or hopes of any sort of reward. At this meeting likewise the propriety of permitting the books to be seen, was disputed ; after which it was determined, that, as the books were records of public import, they should be constantly subject to the inspection of any one ; although they are now absolutely refused, by virtue of a verbal order of a few of the trustees only.

Matters being thus resolved upon, it appeared to me that though the act
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directed no set number of physicians to be chosen, but left the governors to choose at a general court what number they pleased ; yet, as they had in a general court once chosen six, they were for the future obliged to keep up that number ; it being expressly provided by the act, that as often as any one so elected died, or was otherwise removed, another should be elected in his room ; I thought therefore, as it was the express direction of a statute law, a mandamus might be obtained to compel them to it, especially as one hundred patients required more attendance than forty, and I immediately applied to council to obtain one ; concluding that this method would be less liable to diminish the contributions to the charity than any representation of its abuses to the public. And though my council was clearly of opinion that

the powers and directions given by this act of parliament were such as the court would compel to be carried into execution by a mandamus, yet he thought it better to decline that method of proceeding, until the contending parties were cooled, and all other means had been tried ineffectually; and to his superior judgment I submitted my own.

Since the transactions at these two meetings, the following circumstances have happened, deserving notice.

The gentleman who had been so assiduous to inform himself about the nature of the London hospitals, though he was so violent at the former meeting in opposing the continuance of more than three physicians, and declared at the same time that he had no personal objection to me,
but

but opposed the election of a greater number, only because he thought it for the interest of the charity ; yet forgetful of what he then said, or not really meaning it, made interest a little before the general court held in May 1758, to have Doctor OLIVER's son, who was then returned from abroad, joined to the other three physicians to the hospital, urging that it was a pretty introduction of a young gentleman into his profession, and that it was right he should be admitted.

Indeed, the governor to whom this application was made, refused his assent to it, and gave for answer, that if three physicians were enough the year before, when the patients were upwards of a hundred, they must be so now when they are reduced to seventy, and therefore he could not but be surprized at the request ; adding,
call

call it no longer the Bath, but Oliver's, hospital.

A few weeks before this last annual meeting, a concert of music being set on foot, for the benefit of the charity, I was publickly apply'd to by a certain honourable gentleman, who had been some years president of the hospital, and a warm agent in its interest, to dispose of some tickets for the same; at which time he complained to me, that my remarks about the conduct of the hospital affairs had injured the charity, and thereby gave me an opportunity of conversing with him, upon the extraordinary conduct of increasing the physicians from three to six, when the patients were reduced from seventy to forty, and decreasing them again, when they were one hundred and twelve.

In

In this conversation he frankly and generously told me, that he was personally concerned in making both orders ; that the first was made to get a certain gentleman elected physician to the hospital, and that after it was made, the physicians and surgeons, in constant attendance, were too numerous to suffer the independent governors of the charity to carry any regulation they wanted by a majority of votes ; wherefore he promoted the second resolution of reducing their number, with the concurrence of the faculty, who might be moved thereto by some other views. What these views were, let the following fact demonstrate.

When Doctor Davies came to reside at Bath, six physicians attended the hospital, and he was advised by his friends to offer his service to it on the
first

first vacancy. And as Doctor Hartly and Doctor Harrington, on account of their ill state of health, had, for some time before, neglected to attend the charity, the former proposed to the latter to resign their employments at the same time, and to have Doctor Sommers and Doctor Davies elected in their stead ; but Doctor Harrington declining the proposal, Doctor Hartly resigned alone, when Doctor Sommers was elected without opposition, having been longer resident at Bath than Doctor Davies ; and Doctor Davies was at the same time given to understand, that whenever another vacancy happened, he should certainly be elected.

At length, Doctor Harrington, who had not attended the charity for the last four years, thought proper to continue no longer even a nominal physician to it, and determined to resign ;
which

which he did in a public court on the first of May 1750; but before he resigned, the court then assembled, though they agreed to increase the patients from forty to eighty, yet ordered that the physicians to the hospital should be limited to three, and three only, so soon as those then in attendance should be reduced to that number by death or resignation. By which it plainly appears that a design was early formed to preclude Doctor Davies, and any other physician that might come to Bath, from being admitted into the hospital.

Soon after this general court, held upon the second of June, a meeting was summoned for the promotion of that most excellent charity, called the Pauper-Scheme; by which, at the expence of about one hundred pounds a year, upwards of twelve

Q hundred

hundred individuals have been annually relieved : And as this charity had its rise from the general hospital, a particular account of it may some time hence be laid before the public.

At this meeting of the pauper-scheme, a great number of principal gentlemen were present ; and the conversation turning upon the late proceedings at the hospital, one of the surgeons belonging to it assured me, what I had often been told by others in private, namely, that if it was my design to publish the cases of the patients in the hospital, it would certainly tend to the disrepute of Bath waters ; for the success with which they were there attended, would by no means serve to recommend their use ; but, instead of it, shew the world their real insignificance.

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This indeed was an astonishing avowment ! What can be more repugnant to the true principles of charity, than thus artfully decoying persons afflicted with sickness, to desert the comfort of their own homes, and to put themselves to immoderate expence, fatigue, and danger, in undertaking long and painful journies, by exciting in their minds false and groundless hopes of relief, from a wilful suppression of the real truth ?

This assertion from a person so conspicuous in his profession as the gentleman was from whom I received it, astonished me greatly, since from the knowledge I had obtained by my enquiries into the nature of the waters, I was clearly satisfied, that they did not want efficacy to conquer many chronical disorders, and to afford a sufficient number of cases, to con-

vince the world of their sanative qualities. Yet, as this gentleman so positively affirmed it, and had been attendant upon the hospital from its first foundation, and had universally the reputation of a man of honour and judgment, I was inclined to credit his averment, and, instead of doubting his veracity concerning the bad success in the hospital, to search out from what probable cause the use of the waters therein had proved so very ineffectual.

By an inspection into the annual accounts of the charity, it is manifest to what this defect of success may most reasonably be attributed; for therein it is recorded, though this hospital was for the trial of Bath waters only, and an apothecary is not mentioned in any part of the act for its establishment, that more than
 eighty

eighty pounds a year, have one year with another, been laid out in the purchase of drugs at the best hand ; which if consumed in medicines prepared by practical prescriptions, and vended by any apothecary, must, at a moderate price, be charged at upwards of a thousand pounds. And if they have not been so used, why have the public been put to the expence of them ?

Under these circumstances let any think how impossible it has been for cures to be wrought by these waters ; especially as it is now manifest, that 'till Doctor Lucas published his analysis of them, practitioners were strangers to their natural contents, and daily administered with them many medicines absolutely contradictory to the real quality, and destructive of their grand agent, which renders them effectual.

This

This surely is a convincing proof of the truth of that material reflection in my book on the uses and abuses of Bath waters, that the waters would be more effectual were their operation less interrupted with medicines.

Besides, it has often been observed that the poor creatures in the hospital for cure, have been suffered to walk home from the baths half covered with their wet bathing dresses; from a due consideration of which, and of the number of incurable and otherwise improper cases admitted into the hospital, we can no longer wonder that the use of the waters on the hospital patients should not be attended with the desired success.



CHAP. IV.

From a perusal of the preceding pages, the following Queries naturally arise; to which it is expected that the persons concerned will give proper answers, unless they choose, by their silence, to own the charge.

QUERY I.

IS not the act of parliament, for establishing a general hospital at Bath, an absolute direction for the proceedings thereof? Or, have the governors a right to disregard those directions, when they are not subservient to their private purposes?

II.

If the directions of the act are absolute, why have not the governors
chosen

chosen another physician to the hospital, as often as any of those they have elected has died or resigned?

III.

Why has not the notice required by the act for the election of a physician to the hospital, been constantly given, as often as the governors have thought fit to elect any one into that office?

IV.

By what authority have the inhabitants of Bath, who are poor, and afflicted with diseases for which Bath waters are reputed a cure, been excluded from all chance of relief from the Bath hospital, when the act entitles every subject of Britain and Ireland to the benefit of it?

V.

When the governors, from their experience in the management of the hospi-

hospital, found it expedient to make orders or resolutions for regulating the conduct thereof, why had they not the orders they made converted into by-laws by the sanction of the bishop and judges, as the act requires?

VI.

When any person solicits to be a member of a society, who is able and willing to promote the ends for which it was established, what can justify that society for making an order to prevent the admission of such person amongst them? Especially when they have seen the funds for supporting those ends considerably augmented in consequence of an order for the admission of all gentlemen who were desirous to be members, and the same funds greatly diminished upon making an order to the contrary effect?

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Why

VII.

Why have the vacancies amongst the trustees been generally supplied by the election of some Bath physician, surgeon, or apothecary, or some person dependent on them ?

VIII.

Why has one member of the committee been excluded for non-attendance, and another, who was then and for some years after out of the kingdom, chosen in his stead ?

IX.

Are the physicians to any, except the Bath hospital, appointed president or deputy president thereof ? And have not the physicians to the Bath-hospital some private ends in view from being so appointed ?

X.

If it was reasonable to appoint an increase of physicians from three to

fix, on the reduction of the number of patients in the hospital from seventy to forty, why was a decrease of physicians from six to three appointed afterwards, when the number of patients arose to one hundred and twelve ?

XI.

When any order has been made contradictory to former orders, why have not the reasons for making such contradictory order been recorded, as well as the order itself, that in after times some judgment may be formed of the rectitude of it ?

XII.

Does not the making an order to decrease the number of physicians, at the very instant before Doctor Harrington resigned; and at a committee when the number of patients was agreed to be increased, evidently demonstrate,

monstrate; that the same was done to answer a private and not a public end; if not on purpose, at that juncture, to prevent Doctor Davies from being elected a physician to the hospital?

XIII.

Does not this decrease of physicians, when the number of patients was increased, tend to deprive the poor of assistance, and to prevent the improvement and communication of medical knowledge?

XIV.

Can any man believe that the bishop or judges would give the sanction of a law to any order so inconsistent with charity and with the law of the land?

XV.

Why is a former order of a general court for the inspection of the books
of

of the hospital, to all who desire to see them, now over-ruled by the private direction of a few of the trustees only ?

XVI.

If the hospital books are not concealed, and the publication of cases neglected, with a view to suppress a discovery of the truth, why are the books refused to be shewn ? And why has any particular order of the trustees been made purposely to preclude those, who are desirous of publishing the cases for the benefit of the community ?

XVII.

If a disagreeable truth, in detecting a misconduct, should lessen the contributions to this charity for some time, may not the rectifying such misconduct again increase the same con-

contributions ? And ought a deception of the public to be continued for the sake of some advantage to a few individuals ?

XVIII.

Is it not at least as great a crime to abuse, as to with-hold, charity ?

XIX.

Is it possible for any set of people to act more to the discredit of the medicinal waters of Bath, than in laying a foundation for the misapplication of them, by artfully concealing from the world the many instances of their efficacy, which a publication of cases must exhibit ?

XX.

When subscriptions were soliciting to the Bath hospital, the managers submitted all their conduct to the correction of the public, and as it is
still

still supported by them, why are not their opinions at this time to be regarded in the conducting of it?

XXI.

When the members of any society have wilfully and confessedly suppressed the truth, for the promotion of their own interest, can credit be afterwards given to any account of facts, falling under their inspection alone, in case they should lay any such before the public?

XXII.

When any physicians have openly prescribed the publication of falsehood, as the only effectual band of peace* ; when they have avowedly refused a performance of their duty in their profession, to satisfy private piques ; when they have threatened to desert the poor
and

* See Narrative of Facts, page 46.

and needy in sickness and distress, in case others were permitted to step with them in the paths of charity; what may we not expect such men would do, to promote their own interest, or satisfy their malice? Can they wonder the public should be cautioned against their artifices?

XXIII.

Lastly. If the Bath hospital, or any other charity, is proved to be ill conducted by those who have the management of it; and if, in consequence of such proof, the contributors withdraw their assistance; who is to blame for the destruction of the charity? Is it the person who has exposed the misconduct of the trustees? Or, rather, the trustees themselves, who have been guilty of, and still persevere in, that misconduct?

F I N I S.

